

WOODSTOCK PLANNING & ZONING COMMISSION
REGULAR MONTHLY MEETING
THURSDAY, JANUARY 21, 2016 AT 7:30 PM
WOODSTOCK TOWN HALL, MEETING ROOM 1

MEETING MINUTES

I. MONTHLY MEETING AT 7:30 PM

- a. Call to Order – Meeting was called to order by Jeff Gordon at 7:31p.m. Noted that there is a quorum.
- b. Roll Call – Jeff Gordon, Doug Porter, Fred Rich, Dorothy Durst, Syd Blodgett, Joseph Adiletta (7:42 arrival), Ken Ebbitt (7:48 arrival), Delia Fey (Town Planner), Laura Cournoyer-Gagne (Recording Secretary)
- c. Absent – Travis Sirrine, John Anastasi, Gail Dickinson, Duane Frederick, Dexter Young

II. DESIGNATION OF ALTERNATES – Doug Porter

III. CHAIR’S REPORT – Thank you to all the commissioners for attending monthly meetings and subcommittee meetings, and thanks to Delia, Tina, and Laura for behind the scenes.

IV. MINUTES

- a. Regular meeting minutes of December 17, 2015 **MOTION TO APPROVE AS PRESENTED MADE BY F. RICH, SECONDED BY D. PORTER. MOTION PASSED UNANIMOUSLY.**

V. NON- RESIDENTIAL ZONING PERMIT

- a. 281 Rte 169, Woodstock Ag Society – construction of restrooms & first aid (30ft x 84ft) J. Gordon recused from this item, D. Durst to cover. Mr. Sig Swanberg explains that there will be a reconstruction of the restrooms & first aid building into one building. **MOTION TO APPROVE AS PRESENTED MADE BY F. RICH, SECONDED BY D. PORTER.** D. Durst asks why the section of application that says Health Dept has “not applicable” checked off. D. Fey states that the Health Dept is not involved with the sewer. D. Porter asks if there is any requirement from WPCA, Mr. Swanberg says no. **MOTION PASSED UNANIMOUSLY.** J. Gordon has rejoined the meeting.

VI. CITIZEN’S COMMENTS - NONE

VII. NEW BUSINESS – NONE

MOTION MADE FOR A QUICK RECESS BY D. DURST, SECONDED BY D. PORTER. MOTION PASSED.

VIII. PUBLIC HEARING – 7:45 P.M.

- a. 12-17-15 – a. Subdivision Regulation, Chapter VI Conservation Land - J. Adiletta has joined the meeting. J. Gordon states that notices published in Woodstock Villager on 1/8/16 and 1/15/16, NECCOG has been notified, along with adjoining towns, public notice registry members and all other people needing to be notified have been. This is a proposed amendment by the Commission. It falls under the Fee in lieu of conservation land. If NECCOG is notified and doesn’t respond, then it will be taken as an approval. (K. Ebbitt has arrived and is seated as Alternate.) D. Durst states that the PZC has already discussed this change and she supports it. J. Gordon has spoken to the Chair of the Conservation Commission (CC) and there were no objections. S. Blodgett has concerns and states that the CC is currently having trouble obtaining members and may in fact want to review and issue a report and PZC should have their input. J. Gordon explains that it’s not an automatic approval, only means that they haven’t issued a report. It is noted that in the past members of the CC have come to PZC meetings and sometimes have disagreed with requests before them. There is discussion on whether this change maybe encouraging fee in lieu of and therefore would like the record to be clear that this change does not mean, going forward, that the CC is approving fee in lieu of. This wording should be adjusted since the absence of action wouldn’t mean approval. Suggested wording: “Then the Commission shall proceed without the Conservation Commission’s input.” J. Gordon will continue communicating with CC Chair on agenda items that will require their

input. After inquiry, D. Fey explains that the CC gets copies of the PZC agenda and the packet that the PZC receives each month, prior to regular meetings. Jeremy Serwer recommends changing the “shall” to “may” with the updated wording so the PZC can use their discretion if there are extenuating circumstances. F. Rich explains that sometimes decisions must be done that evening because of deadlines. D. Fey says that she doesn’t know how communication can be improved as the CC receives copies of everything. She does all that she can to ensure that they are all included. No further questions or comments on text.

As to the appraiser portion, on the second item, S. Blodgett believes that there are more MAI’s than SRA’s in our area. MAI is not the same as SRA and there is discussion on the wording. D. Porter explains differences, MAI does more commercial work. Change wording from MAI “or equivalent” to either MAI or SRA. K. Ebbitt suggests adding “and/or” in the sentence. Amended text as follows: “Along with either a Member of Appraisal Institute (MAI), Senior Residential Appraiser (SRA) or equivalent.” **MOTION TO CLOSE THE PUBLIC HEARING MADE BY F. RICH, SECONDED BY J. ADILETTA. MOTION PASSED UNANIMOUSLY.**

b. 12-17-15 – b. Subdivision Regulations, Chapter III Section 2.c – When to hold a public hearing. J. Gordon stated that a notice was posted in Woodstock Villager on 1/8/16 and 1/15/16, and that all notification requirements have been met. There is discussion on the procedures and PZC going case by case as to whether a public hearing should be scheduled for smaller subdivisions. S. Blodgett states that subdivisions of over four lots should be mandatory to come before PZC. D. Durst has concerns that the public will not be properly informed, however it is pointed out that the property abutters are always notified as part of the application process. D. Porter comments that people have the right to subdivide their property whether or not the public is notified, in addition to abutting property notification. J. Adiletta states that public hearings give PZC a list of concerns noted from the public and D. Porter responds that meanwhile, the application is being penalized with fees to have the public hearing. J. Gordon reminds PZC that too much discussion can’t be done before going to public hearing. After being asked, D. Porter explains that many things go into factoring subdivisions. Cost could be expensive for someone who just wants a split. Developer’s factor in the cost, but a residential homeowner who just wants to break off a lot doesn’t. Subdivision is by right and if the regulations are met, then subdivision will happen. D. Durst gives examples of public input with previous subdivisions and how important it is for the public to vent their concerns. J. Gordon commented that when this came up a year ago, public hearing was done because it’s always been that way. Would this text amendment address the concerns of the Commission? There is further discussion on how to proceed with this amendment. **MOTION TO CLOSE PUBLIC HEARING MADE BY J. ADILETTA, SECONDED BY D. DURST. MOTION PASSED UNANIMOUSLY.**

IX. OLD BUSINESS

a. 12-17-15 – a. Subdivision Regulation, Chapter VI Conservation Land - **MOTION TO APPROVE CHANGES AS PROPOSED MADE BY J. ADILETTA, SECONDED BY F. RICH.** J. Gordon states that after publishing legal notice and 15-day appeal period, effective date would be March 1, 2016 and when changes for amendments are made the commission doesn’t have to go through a criteria list. **The following wording was approved:** “As set forth in Section 8-25 of the Connecticut General Statutes, the Commission may authorize the Applicant to pay a fee to the Town, or pay a combination of fee and land transfer to the Town in lieu of the full requirement to provide Conservation Land as set forth in Chapter V. Such authorization may be granted by the Commission only if it determines that conditions such as subdivision size, population densities, existing open space in the neighborhood, topography, soils, or other characteristics are such that on-site Conservation Land is not as desirable as a fee-in-lieu of Conservation Land. The Commission shall consult the Town Planner (or designee) and the Conservation Commission, but if a report on a fee in-lieu of conservation land proposal is not received by the close of the Public Hearing, then the Commission shall proceed without the Conservation Commission’s input. **MOTION PASSED UNANIMOUSLY.** D. Durst adds that definition of SRA is needed.

b. 12-17-15 – b. Subdivision Regulations, Chapter III Section 2.c – When to hold a public hearing D. Fey shows the wording change on the screen. **MOTION TO APPROVE MADE BY F. RICH, SECONDED BY J. ADILETTA. MOTION PASSED UNANIMOUSLY. The following is the wording that was approved:** “The Commission shall hold a public hearing on any plan of resubdivision and on any plan of subdivision involving four (4) or more lots. The Commission may hold a public hearing on any subdivision involving less than four (4) lots if the Commission

determines that the circumstances so warrant. Such hearing shall be held within such time as established by the Connecticut State Statutes. Notice of a hearing shall be published in a newspaper of general circulation in the Town at least twice at intervals of not less than two days, the first not more than fifteen nor less than ten days and the second not less than two days prior to the hearing and by sending a copy thereof by certified mail to the Applicant." Effective March 1, 2016.

X. ZEO REPORT

a. Report on Zoning Enforcement – December/January 2015-2016

10 Oak Hill Lane: more inquiries have been made.

6 Lyon Rd: completion of cleanup to be done by July

619 Rte 198: Attorney is continuing with investigation

1072 Rte 171: Permit needed for new sheds, D. Fey will be going back to follow-up

37 Town Farm Rd: given 15 days to respond to cease and desist order, next step would be court, D. Porter asks if town attorney may have suggestion as to what should be done. J. Adiletta suggests having the attorney send letter.

b. Report on Zoning Permits – December/January 2015-2016

XI. BUDGET REVIEW AND BILLS

a. Bills – none require vote

b. Budget Review - listed

XII. CITIZEN'S COMMENTS - NONE

XIII. CORRESPONDENCE

a. Review of Budget – Budget has been submitted, J. Gordon gave to all concerned.

b. Dept of Army Mitigation report, Cert of Compliance – Woodstock Academy

c. NECCOG Meeting notice, January 20, 2016, 6:30 p.m. re: Scenic Rte 169 Advisory Committee

XIV. MINUTES OF OTHER BOARDS AND COMMISSIONS - NONE

XV. OTHER

Executive Session must be posted and added to agenda, prior to be discussed. If not needed, then doesn't have to be done.

Training dates of April 7th with back up date of April 14th

D. Durst gave copies of article that was in the Reminder paper, bringing up topic as to how much agricultural land does the town of Woodstock own and lease to farmers.

XVI. ADJOURNMENT – MOTION TO ADJOURN MADE BY F. RICH, SECONDED BY J. ADILETTA. MOTION PASSED UNANIMOUSLY. 9:25 P.M.

Respectfully submitted,

Laura Cournoyer-Gagne, Recording Secretary

DISCLAIMER:

These minutes have not yet been approved by the Planning & Zoning Commission. Please refer to next month's minutes for approval/amendments. Please note that the audio recording is the legal record of the meeting.